

REMARKS

Reconsideration of the present application is respectfully requested.

Applicant thanks the Examiner for the indication that claims 89-96 are allowable if rewritten in independent form.

Double Patenting

Claim 84 was rejected on the ground of non-statutory obviousness-double patenting as being unpatentable over claims 7 and 8 of U.S. Patent No. 6,499,272.

Applicant herewith provides a Terminal Disclaimer in accordance with 37 C.F.R. § 1.321(c) to obviate this rejection, disclaiming the terminal part of the term of any patent granted on the above-referenced application extending beyond the terms of U.S. Patent No 6,499,272 as described in the Terminal Disclaimer. Further, the Commissioner is authorized to charge \$130 for the fee set forth in 37 C.F.R. 1.20(d) to Deposit Account No. 50-0410, as well as any other fees due, but not to include the payment of any issue fee. The submittal of the Terminal Disclaimer shall not be regarded as an admission on the part of Applicant.

The rejections under 35 U.S.C. § 102

Claim 86 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,088,971 to Herrington.

Claim 86 has been cancelled without prejudice to its consideration in a continuing application.

The rejections under 35 U.S.C. § 103

Claim 87 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,088,971 to Herrington in view of U.S. Patent No. 5,020,194 to Herrington et al.

Claim 87 has been cancelled without prejudice to its consideration in a continuing application.

Claim 88 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,088,971 to Herrington in view of U.S. Patent No. 5,769,772 to Wiley.

Claim 88 has been cancelled without prejudice to its consideration in a continuing application.

CLOSING

Claims 86-88 have been cancelled. Reconsideration of pending claims 84 and 89-93 is respectfully requested.

It should be understood that the above remarks are not intended to provide an exhaustive basis for patentability or concede any basis for rejections or objections in the Office Action. For those rejections based upon a combination of references, there is no admission that the cited combinations are legally permitted, properly motivated, or operable. Further, with regards to the various statements made in the Office Action concerning any prior art, the teachings of any prior art are to be interpreted under the law. Applicants make no admissions as to any prior art. The remarks herein are provided simply to overcome the rejections and objections made in the Office Action in an expedient fashion.

The undersigned welcomes a telephonic interview with the Examiner if the Examiner believes that such an interview would facilitate resolution of any outstanding issues.

Respectfully submitted

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